SECTION IX. FINANCIAL REPORT

Provide the following information. Use separate paper if necessary.

(1)	The estimated cost of constructing the facility, unless the facility is an existing facility and no new construction is proposed: $
(2)	The type and source of financing:
(3)	The estimated facility operating cost(s): $
(4)	The estimated tipping fee or, if no tipping fee will be assessed by the facility, the estimated average cost per ton to manage waste at the facility: $ /ton
(5)	Prepare and submit a financial assurance plan in accordance with Env-Sw 1400. Contact the DES Financial Assurance Coordinator at (603) 271-2925 for additional assistance and guidance, including forms for preparing financial assurance documents such as letters of credit, trust agreements, surety bonds, etc.

SECTION X. PERFORMANCE HISTORY

(1) BACKGROUND INVESTIGATION: (Note: This requirement does not apply if the applicant is a government unit or agency or subdivision of the state. If so, check here ☐ and go to question (2) below.)

The applicant must provide as part of this application certain "personal and business disclosure information." The information will be used to facilitate a background investigation by the New Hampshire Department of Justice/Office of Attorney General (NH DoJ/AGO) pursuant to RSA 149-M:9,III and IX. The information is provided by completing two different forms, one for personal disclosure information and one for business disclosure information. The number and type of forms to be completed depends on whether the applicant is an individual or a non-individual and whether the applicant, facility operator and property owner are the same. The forms provide specific instructions for determining which individuals and entities must complete the forms. Submit the completed forms direct to the NH DoJ/AGO, Environmental Protection Bureau, 33 Capitol St., Concord, NH 03301-6397 with a "Notice of Filing" as specified by Section IV of this form. Do NOT submit copies of the completed personal and business disclosure forms to DES.

Note: If blank copies of the Personal and Business Disclosure Forms were not included with this permit application package, you may obtain copies from the P&DRS at (603) 271-2925.

Note also: The applicant must pay the cost incurred by the NH DoJ/AGO to complete the background investigation and prepare a report to DES. An invoice will be sent by the NH DoJ/AGO and payment will be due upon receipt.

(2) COMPLIANCE STATUS: The applicant must either:

☑ sign the Compliance Statement provided below; or

☐ submit a Compliance Report as specified in Env-Sw 303.15. Mark the Compliance Report as "Attachment X(2)."

Check the appropriate box above to indicate which option you are undertaking.

COMPLIANCE STATEMENT

The applicant shall certify that each of the statements listed in (1)-(8) below are true for each of the following individuals and entities:

- ☑ **the applicant.**
- ☑ **the facility owner.**
- ☑ **the facility operator.**
- ☑ **all individuals and entities holding 10% or more of the applicant's debt or equity.**
- ☑ **all of the applicant's officers, directors, and partners.**
- ☑ **all individuals and entities having managerial, supervisory or substantial decision making authority and responsibility for the management of facility operations or the activity(s) for which approval is being sought.**

(1)		No individual or entity listed above has been convicted of or plead guilty or no contest to a felony in any state or federal court during the 5 years before the date of the application.
(2)		No individual or entity listed above has been convicted of or plead guilty or no contest to a misdemeanor for a violation of environmental statutes or rules in any state or federal court during the 5 years before the date of the application.
(3)		No individual or entity listed above has owned or operated any hazardous or solid waste facility which has been the subject of an administrative or judicial enforcement action for a violation of environmental statutes or rules during the 5 years before the date of the application.
(4)		No individual or entity listed above has been the subject of any administrative or judicial enforcement action for a violation of environmental statutes and rules during the 5 years before the date of the application.
(5)		All hazardous and solid waste facilities owned or operated in New Hampshire by any individual or entity listed above are in compliance with either:
	(a)	All applicable environmental statutes, rules, and DES permit requirements; or
	(b)	A DES approved schedule for achieving compliance therewith;
(6)		All individuals and entities listed above are in compliance with all civil and criminal penalty provisions of any outstanding consent agreement, settlement, or court order to which DES is a party.

(7)	All individuals and entities listed above have paid, or are in compliance with the payment schedule for any administrative fine assessed by DES; and
(8)	All individuals and entities listed above are in compliance with all terms and conditions under every administrative order, court order or settlement agreement relating to programs implemented by DES.

Signature of the applicant certifying the above statements are true for each of the applicable individuals and entities:

Applicant Name (Print Clearly or Type) Joseph J. Harding as Vice President of Harding Metals, Inc.

Applicant Signature Joseph J. Harding

Date 12/29/14

SECTION XI. PUBLIC BENEFIT

You must demonstrate that the subject facility will provide a "substantial public benefit" pursuant to the requirements of RSA 149-M:11. In order to make this demonstration, you must show how the facility meets three criteria, as provided in RSA 149-M:11, III(a) - (c), or, alternatively, you may certify that operation of the facility satisfies conditions specified in Env-Sw 405.04, summarized as follows:

(1) Irrespective of the source of the waste, the total quantity of waste transferred by the facility on an annual basis to New Hampshire landfills and New Hampshire incinerators shall not exceed the total quantity of waste received by the facility from New Hampshire generators, figured in tons.

[Example: If a facility receives 1000 tons of waste per year from New Hampshire generators and 2000 tons per year from out-of-state generators, up to 1000 tons of the total 3000 tons of waste per year may be transferred by the facility for disposal at New Hampshire landfills and/or incinerators. The remaining 2000 tons must be transferred elsewhere, such as to composting facilities or recycling facilities or out-of-state facilities].

(2) The facility shall operate, or be part of an integrated system which operates, in a manner which:

(a) Separates and diverts recyclable materials to authorized facilities for reuse.
(b) Avoids disposal of recyclable materials in a lined landfill with a leachate collection system.

(3) During each calendar year that the facility receives waste, the permittee shall communicate with the host solid waste management district as specified in Env-Sw 1105.12.

Therefore, to complete this permit application, you may select either of the following options:

☐ Submit an independently prepared demonstration of public benefit which identifies how the subject facility meets each of the three public benefit criteria specified in RSA 149-M:11, III(a) - (c); Mark as "Attachment XI". (To obtain a copy of the statute, contact the P&DRS at (603) 271-2925 or look up on the internet at http://www.des.nh.gov).

OR

☑ Sign the following statement to certify the facility will operate in a manner satisfying the conditions for public benefit in Env-Sw 405.04, as summarized in (1) - (3) above. If you select this option, be certain to include sufficient information in the Operating Plan you prepare pursuant to Section VII of this application form to show how facility operations will in fact satisfy the conditions for public benefit. Note: Conditions (1) - (3) below will be conditions of any permit issued. Therefore, you MUST accordingly operate the facility and maintain records to verify the same.

CERTIFICATION FACILITY OPERATIONS SHALL PROVIDE A SUBSTANTIAL PUBLIC BENEFIT PER Env-Sw 405.04	
(1)	The total quantity of waste that the subject facility transfers annually to New Hampshire landfills and incinerators shall be limited to the quantity of waste the subject facility receives annually from New Hampshire generators.
(2)	The subject facility shall operate, or be part of an integrated system of facilities which operates, in a manner which: separates and diverts recyclable materials to authorized facilities for reuse; and avoids disposal of recyclable materials in a lined landfill with a leachate collection system.
(3)	During each calendar year, the subject facility shall communicate with the host solid waste management district as specified in Env-Sw 1105.12, for example by sending to the district chairperson a copy of the facility's annual report with a cover letter which explains how the facility met its obligations for providing a substantial public benefit during the preceding year and which requests the district to identify specific needs which the facility may be able to assist the district in meeting.

Signature of the applicant certifying agreement that the subject facility shall operate in compliance with the above provisions:

Applicant Name (Print Clearly or Type) Joseph J. Harding as vice President of Harding metals, Inc

Applicant Signature Joseph J Harding

Date 12/29/14

SECTION XII. SIGNATURES

Applicant Signature

The applicant(s) must sign the following statement prior to submitting this application. All copies of the application filed with DES must bear the applicant's ORIGINAL signature(s). If the applicant is not an individual, an individual duly authorized by the applicant shall sign the application.

(1)	To the best of my knowledge and belief, the information and material submitted herewith is correct and complete.
(2)	I understand that any approval granted by DES based on false and/or incomplete information shall be subject to revocation or suspension, and that administrative, civil or criminal penalties may also apply.
(3)	I certify that this application is submitted on a complete and accurate form as provided by DES without alteration of the text.

Joseph J. Harding as vice President of Harding metals, Inc Applicant Name (Print Clearly or Type)	Co-Applicant Name (Print Clearly or Type)
Joseph J Harding Applicant Signature	Co-Applicant Signature
12/29/14 Date	Date

Property Owner Signature

If the property owner is not the applicant, then the property owner(s) must also sign this form as follows. All copies of the application filed with DES must bear the property owner's ORIGINAL signature(s). If the property owner(s) is not an individual, an individual duly authorized by the property owner shall sign the application.

(1)	I hereby affirm that the applicant has, or shall be granted, the legal right to occupy and use the property on which the subject facility is or will be located for the purposes specified in this application.
(2)	I hereby affirm that I shall grant access to the property for closure and post-closure monitoring of the subject facility and site as required by RSA 149-M and the New Hampshire Solid Waste Rules (Env-Sw 100-300 and Env-Sw 400-2000), as amended.

Property Owner Name (Print Clearly or Type)	Joint Owner Name (Print Clearly or Type)
Property Owner Signature	Joint Owner Signature
Date	Date

SECTION XIII. FEE CALCULATION FORM

Pursuant to Part Env-Sw 310 of the New Hampshire Solid Waste Rules, a fee as specified in (1) - (3) below, shall be remitted to TREASURER, STATE OF NEW HAMPSHIRE at the time this application is filed.

(1) The fee for an existing facility that holds a temporary permit is $500. Check here ☑ if applicable.

(2) The fee for an existing facility that does NOT hold a temporary permit and which is scheduled to close, is zero. Check here ☐ if applicable.

(3) For all other facilities, follow the instructions in (a) through (d) below:

(a) FACILITY CAPACITY:
How many tons per day of solid waste is this facility designed to receive? tons per day (TPD)

(b) FACILITY LIFE EXPECTANCY:
What is the designed life expectancy of this facility? (Years)

(c) Using the numbers you have provided in (a) and (b) above, circle the related dollar amount in chart below.

	FACILITY LIFE EXPECTANCY			
FACILITY CAPACITY	**0-1 YR.**	**1-5 YRS.**	**5-10 YRS.**	**10+ YRS.**
30 or fewer TPD	$100.00	$400.00	$800.00	$1,000.00
31 to 120 TPD	$200.00	$800.00	$1,000.00	$2,000.00
121 to 300 TPD	$500.00	$2,000.00	$4,000.00	$5,000.00
301 to 600 TPD	$1,000.00	$4,000.00	$8,000.00	$10,000.00
601 or more TPD	$2,000.00	$8,000.00	$16,000.00	$20,000.00

(d) Calculate the required fee, using the formula below.

MINIMUM BASE FEE (MBF)	=		$
AMOUNT CIRCLED IN ITEM (c) ABOVE	=	+	$
TOTAL FEE	=		$